

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Initial Application of

Morton M. MOWER, M.D.

Appln. No.: 09/929,478

Group Art Unit: 3762

Filed: August 14, 2001

Examiner:

For: ANTITACHYCARDIAL PACING

TRANSMITTAL LETTER

Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

1. Information Disclosure Statement;
2. Form PTO-1449 (11 sheets); and
3. Exhibits (126 references enclosed).

The Commissioner is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 18-1579. The Commissioner is also authorized to charge Deposit Account No. 18-1579 for any future fees connected in any way to this application. A duplicate copy of this letter is enclosed.

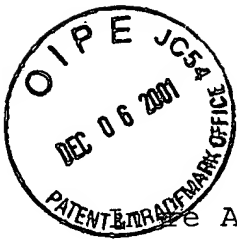
Respectfully submitted,

Kevin L. Pontius
Registration No. 37,512

ROBERTS ABOKHAIR & MARDULA, LLC
11800 SUNRISE VALLEY DRIVE
SUITE 1000
RESTON, VIRGINIA 20191-5302
(703) 391-2900

Date: November 15, 2001

Atty. Dkt. No.: 2206-006C



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of

Morton M. MOWER, M.D.

Appln. No.: 09/929,478

Group Art Unit: 3762

Filed: August 14, 2001

Examiner:

For: ANTITACHYCARDIAL PACING

* * * * *
INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97
* * * * *

Commissioner For Patents
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. § 1.56, Applicant hereby submits the following Information Disclosure Statement. The PTO-1449 forms submitted herewith list references that Applicant believes may be relevant. These documents are not necessarily analogous art. It is respectfully requested that these documents be considered by the Examiner, and that the Examiner indicate consideration of the cited references by returning copies of the attached form PTO-1449 with initials or other appropriate marks affixed. Enclosed are copies of all the cited references.

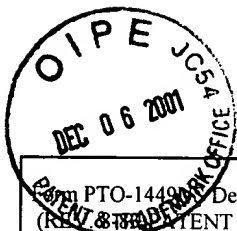
Respectfully submitted,

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RESTON, VIRGINIA 20191-5302
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Date: November 15, 2001

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|---|------------------------------------|-------------------------------|
| PTO-1449 Rev. 1-88 Dept. of Commerce PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY DOCKET NO. 2206-006C | APPLICATION NO. 09/929,478 |
| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|----------|-------------------------|-------|--------------|-------------------------------|
| | 3,924,641 | 12/ 1975 | Weiss | | | |
| | 3,946,745 | 1/1976 | Siang-Lai <i>et al.</i> | | | |
| | 4,019,519 | 4/1977 | Geerling | | | |
| | 4,055,190 | 10/1977 | Tany | | | |
| | 4,222,386 | 9/1980 | Smolnikov <i>et al.</i> | 607 | 9 | |
| | 4,233,986 | 11/1980 | Tannenbaum | | | |
| | 4,298,007 | 11/1981 | Wright <i>et al.</i> | | | |
| | 4,327,322 | 4/1982 | Yukl | | | |
| | 4,343,312 | 8/1982 | Cals <i>et al.</i> | 128 | 419 | |
| | 4,392,496 | 7/1983 | Stanton | | | |

FOREIGN PATENT DOCUMENTS

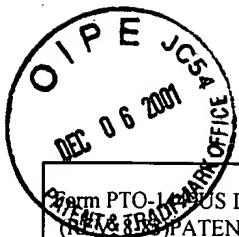
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|--|-----------------|---------|---------|-------|--------------|-------------|----|
| | | | | | | YES | NO |
| | 0 813 889 A2 | 12/1997 | EP | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| | |
|--|--|
| | Guyton, Textbook of Medical Physiology, 8th Edition, Chapter 9, pp. 98-99, 1991. |
| | Brian G. Cleland, "A Conceptual Basis for Pacing Waveforms," Pace, vol. 19, 1177-1185 (Aug. 1996). |
| | Allen M. Greenspan, M.D., "Electrophysiology of Pacing," 29-35, Ideal Cardiac Pacing, vol. 37 in the Series, Major Problems in Clinical Surgery (1984). |

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| EXAMINER | DATE CONSIDERED |
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Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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|--|------------------------------------|-------------------------------|
| Form PTO-100 US Dept. of Commerce (PAT & TRADEMARK OFFICE) INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY DOCKET NO. 2206-006C | APPLICATION NO. 09/929,478 |
| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|---------|------------------------|-------|--------------|-------------------------------|
| | 4,402,322 | 9/1983 | Duggan | | | |
| | 4,429,697 | 2/1984 | Nappholz <i>et al.</i> | | | |
| | 4,444,195 | 4/1984 | Gold | | | |
| | 4,456,012 | 6/1984 | Lattin | | | |
| | 4,498,478 | 2/1985 | Bourgeois | | | |
| | 4,539,991 | 9/1985 | Boute <i>et al.</i> | | | |
| | 4,543,956 | 10/1985 | Herscovici | | | |
| | 4,569,350 | 2/1986 | Mumford <i>et al.</i> | | | |
| | Re. 32,091 | 3/1986 | Stanton | | | |
| | 4,612,934 | 9/1986 | Borkan | | | |

FOREIGN PATENT DOCUMENTS

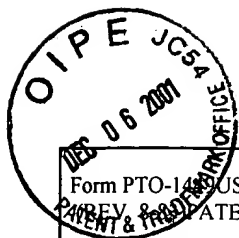
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
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| | | | | | | YES | NO |
| | 0 870 516 | 10/1998 | EP | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

| | |
|--|---|
| | Brian F. Hoffman, M.D., and Paul F. Carnefield, M.D., Electrophysiology of the Heart, 220-222 (1976). |
| | Bradley J. Roth, Ph.D., "Strength-Internal Curves for Cardiac Tissue Predicted Using the Bidomain Model," Journal of Cardiovascular Electrophysiology, vol. 7, No. 8, 722-737 (Aug. 1996). |
| | Harold Siddons and Edgar Sowton, "Cardiac Pacemakers," 152-154. |

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|----------|-----------------|
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|--|------------------------------------|-------------------------------|
| Form PTO-1485 US Dept. of Commerce PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY DOCKET NO. 2206-006C | APPLICATION NO. 09/929,478 |
| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|---------|-----------------------|-------|--------------|-------------------------------|
| | 4,637,397 | 1/1987 | Jones <i>et al.</i> | 128 | 419 | |
| | 4,646,744 | 3/1987 | Capel | | | |
| | 4,723,552 | 2/1988 | Kenyon <i>et al.</i> | | | |
| | 4,754,759 | 7/1988 | Allocca | | | |
| | 4,781,194 | 11/1988 | Elmqvist | | | |
| | 4,821,724 | 4/1989 | Whigham <i>et al.</i> | 607 | 13 | |
| | 4,823,810 | 4/1989 | Dervieux | | | |
| | 4,875,484 | 10/1989 | Anzai <i>et al.</i> | | | |
| | 4,903,700 | 2/1990 | Whigham <i>et al.</i> | 128 | 419 | |
| | 4,919,140 | 4/1990 | Borgens <i>et al.</i> | | | |

FOREIGN PATENT DOCUMENTS

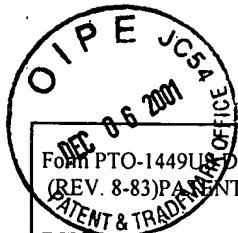
| | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|--|-----------------|--------|---------|-------|--------------|-------------|----|
| | | | | | | YES | NO |
| | 0 850 662 | 7/1998 | EP | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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|--|--|
| | Estes <i>et al.</i> , Implantable Cardioverter-Defibrillators, p. 181 (1994). |
| | |
| | Ravazzi <i>et al.</i> , Changes Induced in Ventricular Activator Using Non-Standard Pacing Pulse |
| | Morphologies at Different Right Septal Sites (1998). |
| | Ravazzi <i>et al.</i> , Ventricular Pacing Threshold Improvement Using Non-Standard Pacing Pulse |
| | Morphologies at Different Right Septal Sites (1998). |

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| EXAMINER | DATE CONSIDERED |
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Form PTO-1449US Dept. of Commerce
(REV. 8-83) PATENT & TRADEMARK OFFICE

ATTY DOCKET NO.
2206-006C

APPLICATION NO.
09/929,478

INFORMATION DISCLOSURE STATEMENT

APPLICANT
Morton M. MOWER, M.D.

(Use several sheets if necessary)

FILING DATE
August 14, 2001

GROUP
3762

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----------------|---------|-----------------------|-------|--------------|-------------------------------|
| | 4,924,880 | 5/1990 | O'Neill <i>et al.</i> | | | |
| | 4,940,054 | 7/1990 | Grevis <i>et al.</i> | | | |
| | 4,944,298 | 7/1990 | Sholder | | | |
| | 4,976,264 | 12/1990 | Petrofsky | | | |
| | 4,989,605 | 2/1991 | Rossen | | | |
| | 4,996,987 | 3/1991 | Petrofsky | | | |
| | 5,018,522 | 5/1991 | Mehra | 607 | 10 | |
| | 5,027,815 | 7/1991 | Funke <i>et al.</i> | | | |
| | 5,036,850 | 8/1991 | Owens | | | |
| | 5,048,522 | 9/1991 | Petrofsky | | | |

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|-----------------|--------|---------|-------|--------------|-------------|----|
| | | | | | YES | NO |
| 0 491 649 B1 | 9/1996 | EP | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

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|--|---|
| | Prochaczek <i>et al.</i> , Transcutaneous Ventricular Pacing of the Human Heart with Increased Overthreshold Energy; Hemodynamic Effects (1998). |
| | Kutarski <i>et al.</i> , Cathode or Anode in Coronary Sinus (CS) in Pts With Daubert's BiA Pacing System (1998). |
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EXAMINER

DATE CONSIDERED

Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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| Form PTO-049 (REV. 8-83) US Dept. of Commerce PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY DOCKET NO. 2206-006C | APPLICATION NO. 09/929,478 |
| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRI- ATE |
|---------------------|--|--------------------|---------|---------------------------|-------|--------------|------------------------------------|
| | | 5,052,391 | 10/1991 | Silberstone <i>et al.</i> | | | |
| | | 5,058,584 | 10/1991 | Bourgeois | | | |
| | | 5,063,929 | 11/1991 | Bartelt <i>et al.</i> | | | |
| | | 5,065,083 | 11/1991 | Owens | | | |
| | | 5,069,211 | 12/1991 | Bartelt <i>et al.</i> | | | |
| | | 5,083,564 | 1/1992 | Scherlag | | | |
| | | 5,097,833 | 3/1992 | Campos | | | |
| | | 5,105,810 | 4/1992 | Collins <i>et al.</i> | | | |
| | | 5,109,847 | 5/1992 | Liss <i>et al.</i> | | | |
| | | 5,111,811 | 5/1992 | Smits | | | |

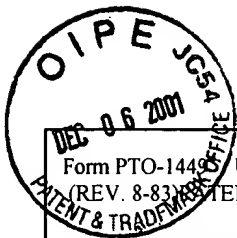
FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUM- BER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
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| | | | | | | | YES | NO |
| | | 0 600 631 | 12/1999 | EP | | | | |

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Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Form PTO-1449 US Dept. of Commerce
(REV. 8-83) PATENT & TRADEMARK OFFICE

ATTY DOCKET NO.
2206-006C

APPLICATION NO.
09/929,478

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

APPLICANT
Morton M. MOWER, M.D.

FILING DATE
August 14, 2001

GROUP
3762

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRI- ATE |
|---------------------|--|--------------------|---------|------------------------|-------|--------------|------------------------------------|
| | | 5,117,826 | 6/1992 | Bartelt <i>et al.</i> | | | |
| | | 5,163,429 | 11/1992 | Cohen | | | |
| | | 5,181,511 | 1/1993 | Nickolls <i>et al.</i> | | | |
| | | 5,193,535 | 3/1993 | Bardy <i>et al.</i> | | | |
| | | 5,209,229 | 5/1993 | Gilli | | | |
| | | 5,213,098 | 5/1993 | Bennett <i>et al.</i> | | | |
| | | 5,215,083 | 6/1993 | Drane <i>et al.</i> | | | |
| | | 5,224,475 | 7/1993 | Berg <i>et al.</i> | | | |
| | | 5,224,476 | 7/1993 | Ideker <i>et al.</i> | 128 | 419 | |
| | | 5,233,985 | 8/1993 | Hudrlik | | | |

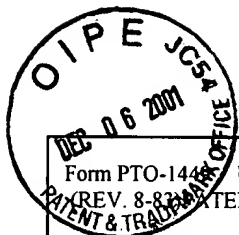
FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUM- BER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
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| | | | | | | | YES | NO |
| | | 93/01861 | 2/1993 | WO | | | | |

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| Form PTO-1448 US Dept. of Commerce PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY DOCKET NO. 2206-006C | APPLICATION NO. 09/929,478 |
| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRI- ATE |
|---------------------|--|--------------------|--------|-----------------------|-------|--------------|------------------------------------|
| | | 5,300,096 | 4/1994 | Hall <i>et al.</i> | 607 | 48 | |
| | | 5,314,423 | 5/1994 | Seney | 606 | 20 | |
| | | 5,314,495 | 5/1994 | Kovacs | 623 | 25 | |
| | | 5,332,401 | 7/1994 | Davey <i>et al.</i> | 607 | 116 | |
| | | 5,334,220 | 8/1994 | Sholder | | | |
| | | 5,340,361 | 8/1994 | Sholder | | | |
| | | 5,350,401 | 9/1994 | Levine | | | |
| | | 5,391,185 | 2/1995 | Kroll | 607 | 4 | |
| | | 5,411,525 | 5/1995 | Swanson <i>et al.</i> | 607 | 5 | |
| | | 5,411,547 | 5/1995 | Causey, III | 607 | 129 | |

FOREIGN PATENT DOCUMENTS

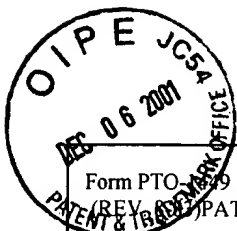
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| | | | | | | | YES | NO |
| | | 97/25098 | 7/1997 | WO | | | | |

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| Form PTO-1029 US Dept. of Commerce (REV. 03-01) PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY DOCKET NO. 2206-006C | APPLICATION NO. 09/929,478 |
| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRI- ATE |
|---------------------|--|--------------------|---------|------------------------|-------|--------------|------------------------------------|
| | | 5,421,830 | 6/1995 | Epstein <i>et al.</i> | 607 | 30 | |
| | | 5,422,525 | 6/1995 | Mansir | | | |
| | | 5,423,868 | 6/1995 | Nappholz <i>et al.</i> | | | |
| | | 5,441,522 | 8/1995 | Schuller | | | |
| | | 5,458,625 | 10/1995 | Kendall | 607 | 46 | May 4, 1994 |
| | | 5,468,254 | 11/1995 | Hahn <i>et al.</i> | 607 | 5 | July 26, 1993 |
| | | 5,480,413 | 1/1996 | Greenhut <i>et al.</i> | 607 | 14 | Nov. 3, 1994 |
| | | 5,487,759 | 1/1996 | Bastyr <i>et al.</i> | 607 | 149 | June 14, 1993 |
| | | 5,507,781 | 4/1996 | Kroll <i>et al.</i> | 607 | 7 | Dec. 31, 1992 |
| | | 5,514,161 | 5/1996 | Limousin | 607 | 9 | Apr. 4, 1995 |

FOREIGN PATENT DOCUMENTS

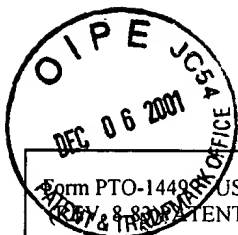
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| | | 0600631 A2 | 11/1993 | EP | | | | |

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| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRI- ATE |
|---------------------|--|--------------------|---------|--------------------------|-------|--------------|------------------------------------|
| | | 5,514,163 | 5/1996 | Markowitz <i>et al.</i> | | | Feb. 21, 1995 |
| | | 5,522,858 | 6/1996 | van der Veen | 607 | 14 | Oct. 26, 1994 |
| | | 5,527,347 | 6/1996 | Shelton <i>et al.</i> | | | Feb. 21, 1995 |
| | | 5,534,015 | 7/1996 | Kroll <i>et al.</i> | 607 | 7 | Oct. 11, 1994 |
| | | 5,534,018 | 7/1996 | Wahlstrand <i>et al.</i> | 607 | 27 | Nov. 30, 1994 |
| | | 5,545,186 | 8/1996 | Olson <i>et al.</i> | | | Mar. 30, 1995 |
| | | 5,562,708 | 10/1996 | Combs <i>et al.</i> | 607 | 4 | Apr. 21, 1994 |
| | | 5,601,608 | 2/1997 | Mouchawar | 607 | 5 | Feb. 2, 1995 |
| | | 5,620,470 | 4/1997 | Gliner <i>et al.</i> | 607 | 5 | Aug. 6, 1993 |
| | | 5,620,471 | 4/1997 | Duncan | 607 | 14 | June 16, 1995 |

FOREIGN PATENT DOCUMENTS

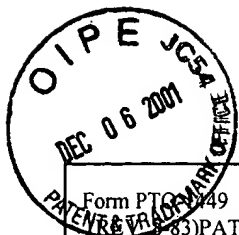
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| | | | | | | | YES | NO |
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| | | |
|---|------------------------------------|-------------------------------|
| Form PTO-149 US Dept. of Commerce PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY DOCKET NO. 2206-006C | APPLICATION NO. 09/929,478 |
| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROPRI- ATE |
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| | | DOCUMENT NUM- BER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
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| PATENT 449 US Dept. of Commerce (REV. 8-83) PATENT & TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY DOCKET NO. 2206-006C | APPLICATION NO. 09/929,478 |
| | APPLICANT Morton M. MOWER, M.D. | |
| | FILING DATE August 14, 2001 | GROUP 3762 |

U.S. PATENT DOCUMENTS

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